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Page 1 of 1

Docket No.: FRESHPR.2CPC4C

CUSTOMER NO. 20995

Applicant : Douglas S. Brown et al.
App. No. : 10/795,973
Filed : March 8, 2004
For : DUAL DISPENSER, SUPPLY UNIT AND METHOD
Examiner : Joseph A. Kaufman
Group Art Unit : 3754

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April 25, 2006


Edward A. Schlatter, Reg. No. 32,297

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FRESHPR.2CPC4C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Douglas S. Erown et al.
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner, "Fresh Products, Inc." of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,729,506. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Appl. No. : 10/795,973
Filed : March 8, 2004

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by an terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 25, 2006

By: 

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